

1 FITBIT INC,

2 Plaintiff.

3 v.

4 ALIPHCOM, et al.,

5 Defendants.

6 Case No. 17-cv-01139-JCS7 **NOTICE REGARDING CONSENT TO  
JURISDICTION OF UNITED STATES  
MAGISTRATE JUDGE**

8 Re: Dkt. No. 30

9 **TO ALL PARTIES AND COUNSEL OF RECORD:**10 The complaint in the above-entitled action was filed on October 29, 2015. Pursuant to  
11 General Order 44, this case has been assigned to Magistrate Judge Joseph C. Spero to conduct all  
12 further proceedings and to order the entry of final judgment upon the consent of all parties in the  
13 case. A signed consent to the jurisdiction of the Magistrate Judge must be filed by both parties  
14 before Chief Magistrate Judge Spero will consider the merits of plaintiff(s)' case or any motion  
15 filed by either party.16 Defendants have filed a Motion to Withdraw as Counsel. Accordingly, the parties are  
17 instructed to sign and electronically the attached Consent or Declination to Magistrate Judge  
18 Jurisdiction within **seven (7) calendar days** of the date of this notice, indicating whether they  
19 consent to the jurisdiction of the Magistrate Judge in this matter. Please note that any party is free  
20 to withhold consent to proceed before a magistrate judge without substantive consequences.21 If the parties do not consent, the case will be randomly assigned to a District Judge of this  
22 court.  
23

24 Dated: March 13, 2017

25 Susan Y. Soong  
26 Clerk, United States District Court27 By: Karen L. Hom  
28 Karen Hom, Deputy Clerk

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**CONSENT OR DECLINATION  
TO MAGISTRATE JUDGE  
JURISDICTION**

**INSTRUCTIONS:** Please indicate below by checking **one** of the two boxes whether you (if you are the party) or the party you represent (if you are an attorney in the case) choose(s) to consent or decline magistrate judge jurisdiction in this matter. Sign this form below your selection.

**( ) Consent to Magistrate Judge Jurisdiction**

In accordance with the provisions of 28 U.S.C. § 636(c), I voluntarily **consent** to have a United States magistrate judge conduct all further proceedings in this case, including trial and entry of final judgment. I understand that appeal from the judgment shall be taken directly to the United States Court of Appeals for the Ninth Circuit.

**OR**

**( ) Decline Magistrate Judge Jurisdiction**

In accordance with the provisions of 28 U.S.C. § 636(c), I **decline** to have a United States magistrate judge conduct all further proceedings in this case and I hereby request that this case be reassigned to a United States district judge.

DATE: \_\_\_\_\_

NAME: \_\_\_\_\_

COUNSEL FOR  
(OR "PRO SE"): \_\_\_\_\_

\_\_\_\_\_  
Signature